

Remarks

Claims 1-14 were pending in the application. Claims 1-14 were rejected. No claims were merely objected to and no claims were allowed. By the foregoing amendment, no claims are canceled, claim 11 is amended, and no claims are added. No new matter is presented.

Specification

The abstract was "objected to because the abstract must be on a separate page." Office action, page 2, section 2.

Applicants request a clearer statement of the nature of the objection. It appears Applicants have not failed to comply with any known law or rule. Applicants are unsure whether the USPTO has processed this application any differently from another international application. See, Examiner note 3 to Form Paragraph ¶ 6.16.01 Abstract of the Disclosure: Placement: "3. This form paragraph should not be used during the national stage prosecution of international applications ("371 applications") if an abstract was published with the international application under PCT Article 21." MPEP 8th Ed., Rev. 5 608.01(b) Abstract of the Disclosure [R-3].

Claim Rejections-35 U.S.C. 112

Claim 13 (believed 11) was rejected under 35 U.S.C. 112(2). Applicants respectfully traverse the rejection.

The meaning of claim 11 was not insolubly ambiguous. However, in the interest of advancing examination, Applicants have rephrased the claim to recite "combination". This, however, is not believed to affect the scope or interpretation of the claim.

Furthermore, such a claim is reasonable to address incidental anticipation by a structure (e.g., that is not in fact used as a clamp or as a particular workbench clamp) of claims directed merely to the clamp.

Claim Rejections-35 U.S.C. 102

Claims 1-14 were rejected under §102(b) as being anticipated by Wong (US6893012). Applicants respectfully traverse the rejection.

Wong is not prior art under §102(b). The Wong 102(b) publication date is November 25, 2004 (the patent date being later). This is after, not the required one year before, the present

international filing date of August 6, 2004.

Wong is merely *prima facie* prior art under §102(e). However, the present inventors invented before the May 23, 2003 Wong filing date which predates the present Australian priority date by less than three months. See enclosed Declaration of Simon Samuel Lyne. Thus, the claims are not anticipated under 102(e).

Furthermore, in the interest of advancing examination, Applicants note that there appears to be no Wong suggestion for the “attachment” of claims 4 and 13. If a further Office action specifically asserts these or other elements to be found in or suggested by the prior art, Applicants will endeavor to address at that point.

Accordingly, Applicants submit that claims 1-14 are in condition for allowance. Reconsideration and further examination are requested. Please charge any fees or deficiency or credit any overpayment to our Deposit Account of record.

Respectfully submitted,

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Enclosure: Declaration of Simon Samuel Lyne